

# Exhibit D



United States Department of State

Washington, D.C. 20520

F-2019-07150

**JUN 25 2019**

David Bossie  
Citizens United  
1006 Pennsylvania Ave. SE  
Washington, DC 20003

Dear Mr. Bossie:

This letter is to acknowledge receipt of your June 17, 2019, request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, to the Department of State, in which you requested emails to or from the following former Department of State officials: David Wade, Jonathan Winer, Jonathan Finer, Matt Summers, Jennifer Stout, or David McKean that contain any of the following names, entities, or terms: Bohai Harvest, Bohai Harvest RST, Thornton Group, James Bulger, Bank of China, Tian Guoli, Jonathan Li, Xin Wang, Aviation Industry Corporation of China, Henniges, Committee on Foreign Investment in the United States, China Molybdenum, or Tenke Fungurume.

The Office of Information Programs and Services (IPS) received your FOIA request on June 17, 2019, and assigned it the tracking number at the top of this letter. Please include the tracking number in all future communications concerning this FOIA request. We have classified you as an other-use requester.

You requested expedited processing of your FOIA request. The Department's FOIA regulations (22 CFR § 171.11(f)) state that requests shall receive expedited processing when a requester demonstrates a "compelling need" for the information because:

- (1) Failure to obtain requested information on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual.
- (2) The information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal government activity. Requesters must demonstrate that their primary activity involves publishing or otherwise disseminating information to the public in general, not just to a particular segment or group.
- (3) Failure to release the information would impair substantial due process rights or harm substantial humanitarian interests.

Based on the information you provided, your request does not demonstrate a compelling need under any of these standards. Therefore, your request for expedited processing has been denied.

If you are not satisfied with the Department's determination in response to your expedited processing request, you may administratively appeal by writing to: Director, Office of Information Programs and Services (IPS), U.S. Department of State, State Annex 2 (SA-2), 515 22nd Street, NW, Washington, D.C. 20522-8100, or faxed to (202) 261-8571. Appeals must be postmarked within 90 calendar days of the date of this initial agency decision letter. Please

include a copy of this letter with your written appeal and clearly state why you disagree with the determinations set forth in this response.

The records you seek require the need to search in offices that are separate from the office processing your request, and the need to conduct consultations with other offices and/or agencies. Accordingly, your request falls within "unusual circumstances" as defined in the FOIA. See 5 U.S.C. § 552(a)(6)(B)(i)-(iii). Because of these unusual circumstances, we need to extend the time limit to respond to your request beyond the ten additional days provided by the statute.

The time needed to complete our work on your request will necessarily depend on a variety of factors including the number of locations that must be searched, the complexity of the search, the volume and complexity of any material located, and consultations with other U.S. Government agencies whose information is included in the material located. The time needed will also depend on the number of other requests ahead of it in the relevant processing track.

This Office assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled on a first-in, first-out basis in relation to other requests in the same track. Your request has been assigned to the complex track and will be handled as quickly as possible.

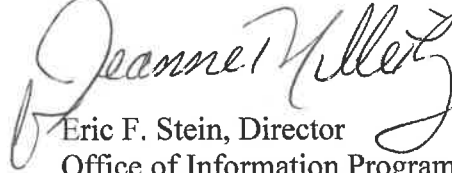
In an effort to speed the processing of your request, you may wish to narrow the scope of your request. Among the ways you can do so is by narrowing the date range of requested records, reducing the number of topics requested, excluding certain types of records (such as e-mails and/or paper records) from the request, identifying the particular office/bureau from which you are seeking records, and limiting the number of potentially responsive records you seek. You can also agree to an alternative time frame for processing, should records be located, or you may wish to await the completion of our records search to discuss either of these options.

I regret the necessity of this delay, but I assure you that your request will be processed as soon as possible. If you wish to discuss narrowing of your request or an alternative time frame for the processing of your request, or if you have any questions regarding the status of your request, you may contact our FOIA Requester Service Center or our FOIA Public Liaison via email at [FOIAstatus@state.gov](mailto:FOIAstatus@state.gov) or telephone at (202) 261-8484.

Lastly, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College

Park, Maryland 20740-6001, email address: [ogis@nara.gov](mailto:ogis@nara.gov); telephone: (202) 741-5770; toll free number: 1-877-684-6448; facsimile: (202) 741-5769.

Sincerely,

A handwritten signature in dark ink, appearing to read "Eric F. Stein". The signature is fluid and cursive, with the first name "Eric" being more prominent and the last name "Stein" following in a similar style.

Eric F. Stein, Director  
Office of Information Programs and Services